

# Draft

## PERMIT

**Permit No:** 200903146-DL

**Municipality:** Borough of Stonington

**Work Area:** Fishers Island Sound off property located at East Grand Street

**Permittee:** East Grand Street Homeowners Association  
69 Case Street  
Norwich, CT 06360

Pursuant to sections 22a-359 through 22a-363f of the Connecticut General Statutes ("CGS") and in accordance with CGS section 22a-98 and the Connecticut Water Quality Standards dated December 2002, a permit is hereby granted by the Commissioner of Environmental Protection ("Commissioner") to retain and modify existing structures for private access to recreational boating as is more specifically described below in the SCOPE OF AUTHORIZATION, in Fishers Island Sound off property identified as the "work area" above.

### **\*\*\*\*\*NOTICE TO PERMITTEES AND CONTRACTORS\*\*\*\*\***

**UPON INITIATION OF ANY WORK AUTHORIZED HEREIN, THE PERMITTEE ACCEPTS AND AGREES TO COMPLY WITH ALL TERMS AND CONDITIONS OF THIS PERMIT. FAILURE TO CONFORM TO THE TERMS AND CONDITIONS OF THIS PERMIT MAY SUBJECT THE PERMITTEE AND ANY CONTRACTOR TO ENFORCEMENT ACTIONS, INCLUDING INJUNCTIONS AS PROVIDED BY LAW AND PENALTIES UP TO \$1,000.00 PER DAY PURSUANT TO THE ADMINISTRATIVE CIVIL PENALTY POLICY DESCRIBED IN SECTIONS 22a-6b-1 THROUGH 22a-6b-15 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES.**

### **SCOPE OF AUTHORIZATION**

The Permittee is hereby authorized to conduct the following work as described in application 200903146-DL including five (5) sheets of plans sheets of plans dated August 24, 2009 with sheets 3-5 revised on October 26, 2009, submitted by the Permittee to the Commissioner and attached hereto, as follows:

1. Remove an approximately 62LF step-down and 73LF platform with two ladders from the existing pier and metal pipes concreted in riprap as shown on sheet 3 of the attached plans;
2. Retain an approximately 88SF concrete ramp and three mooring posts as shown on sheets 2-3 of the attached plans;
3. Retain an existing ladder and install ships ladders and six additional ladders to the existing pier as shown on sheets 2-3 of the attached plans.

**UPON INITIATION OF ANY WORK AUTHORIZED HEREIN, THE PERMITTEE ACCEPTS AND AGREES TO COMPLY WITH ALL TERMS AND CONDITIONS OF THIS PERMIT.**

**SPECIAL TERMS AND CONDITIONS**

1. Not later than two weeks prior to the commencement of any work authorized herein, the Permittee shall submit to the Commissioner, on the form attached hereto as Appendix A, the name(s) and address(es) of any contractor(s) employed to conduct such work and the expected date for commencement and completion of such work.
2. Structure removal authorized in paragraph #1 in the SCOPE OF AUTHORIZATION, above, shall be conducted by April 30, 2010. Such material shall be disposed of at an upland location approved for the disposal of such waste material, as applicable.
3. Except as specifically authorized by this permit, no equipment or material, including but not limited to, fill, construction materials, excavated material or debris, shall be deposited, placed or stored in any wetland or watercourse on or off-site, nor shall any wetland or watercourse be used as a staging area or access way other than as provided herein.
4. On or before (a) 90 days after completion of the work authorized herein, or (b) upon expiration of the work completion date or any authorized one year extension thereof, whichever is earlier, the Permittee shall submit to the Commissioner "as-built" plans prepared and sealed by a licensed engineer, licensed surveyor or licensed architect, as applicable, of the work area showing all tidal datums and structures.

**GENERAL TERMS AND CONDITIONS**

1. All work authorized by this permit shall be completed within five years from date of issuance of this permit ("work completion date") in accordance with all conditions of this permit and any other applicable law.
  - a. The Permittee may request a one-year extension of the work completion date. Such request shall be in writing and shall be submitted to the Commissioner at least 30 days prior to said work completion date. Such request shall describe the work done to date, work which still needs to be completed and the reason for such extension. The Commissioner shall grant or deny such request at her sole discretion.
  - b. Any work authorized herein conducted after said work completion date or any authorized one-year extension thereof is a violation of this permit and may subject the Permittee to enforcement action, including penalties, as provided by law.
2. In conducting the work authorized herein, the Permittee shall not deviate from the attached plans, as may be modified by this permit. The Permittee shall not make de minimis changes from said plans without prior written approval of the Commissioner.
3. The Permittee shall maintain all structures or other work authorized herein in good condition. Any such maintenance shall be conducted in accordance with applicable law including, but not limited to, CGS sections 22a-28 through 22a-35 and CGS sections 22a-359 through 22a-363f.
4. Prior to the commencement of any work authorized hereunder, the Permittee shall cause a copy of

this permit to be given to any contractor(s) employed to conduct such work and obtain a written receipt signed and dated by such contractor(s) for such copy. At the work area the Permittee shall, whenever work is being performed, make a copy of this permit and the final plans for the work authorized herein available for inspection. The Permittee's contractor(s) shall conduct all operations at the site in full compliance with this permit and, to the extent provided by law, may be held liable for any violation of the terms and conditions of this permit.

5. The Permittee shall notify the Commissioner in writing of the commencement of any work and completion of all work authorized herein no later than three days prior to the commencement of such work and no later than seven days after the completion of such work.
6. The Permittee shall dispose of aquatic sediments in accordance with the terms and conditions of this permit. All waste material generated by the performance of the work authorized herein shall be disposed of by the Permittee at an upland site approved for the disposal of such waste material, as applicable.
7. In undertaking the work authorized hereunder, the Permittee shall not cause or allow pollution of wetlands or watercourses, including pollution resulting from sedimentation and erosion. For purposes of this permit, "pollution" means "pollution" as that term is defined by CGS section 22a-423.
8. Upon completion of any work authorized herein, the Permittee shall restore all areas impacted by construction, or used as a staging area or access way in connection with such work, to their condition prior to the commencement of such work.
9. Any document required to be submitted to the Commissioner under this permit or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

Permit Section  
Office of Long Island Sound Programs  
Department of Environmental Protection  
79 Elm Street  
Hartford, Connecticut 06106-5127  
(860) 424-3034  
Fax # (860) 424-4054

10. The date of submission to the Commissioner of any document required by this permit shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this permit, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this permit, the word "day" as used in this permit means calendar day. Any document or action which is required by this permit to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or a Connecticut or federal holiday.

11. The work specified in the SCOPE OF AUTHORIZATION is authorized solely for the purpose set out in this permit. No change in the purpose or use of the authorized work or facilities as set forth in this permit may occur without the prior written authorization of the Commissioner. The Permittee shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this permit, request authorization from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change.
12. This permit may be revoked, suspended, or modified in accordance with applicable law.
13. This permit is not transferable without prior written authorization of the Commissioner. A request to transfer a permit shall be submitted in writing and shall describe the proposed transfer and the reason for such transfer. The Permittee's obligations under this permit shall not be affected by the passage of title to the work area to any other person or municipality until such time as a transfer is authorized by the Commissioner.
14. The Permittee shall allow any representative of the Commissioner to inspect the work authorized herein at reasonable times to ensure that it is being or has been accomplished in accordance with the terms and conditions of this permit.
15. In granting this permit, the Commissioner has relied on representations of the Permittee, including information and data provided in support of the Permittee's application. Neither the Permittee's representations nor the issuance of this permit shall constitute an assurance by the Commissioner as to the structural integrity, the engineering feasibility or the efficacy of such design.
16. In the event that the Permittee becomes aware that he did not or may not comply, or did not or may not comply on time, with any provision of this permit or of any document required hereunder, the Permittee shall immediately notify the Commissioner and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the Commissioner, the Permittee shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Permittee shall comply with any dates which may be approved in writing by the Commissioner. Notification by the Permittee shall not excuse noncompliance or delay and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically stated by the Commissioner in writing.
17. In evaluating the application for this permit the Commissioner has relied on information and data provided by the Permittee and on the Permittee's representations concerning site conditions, design specifications and the proposed work authorized herein, including but not limited to representations concerning the commercial, public or private nature of the work or structures authorized herein, the water-dependency of said work or structures, its availability for access by the general public, and the ownership of regulated structures or filled areas. If such information proves to be false, deceptive, incomplete or inaccurate, this permit may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.
18. The Permittee may not conduct work waterward of the high tide line or in tidal wetlands at this permit site other than the work authorized herein, unless otherwise authorized by the Commissioner pursuant to CGS section 22a-359 et. seq. and/or CGS section 22a-32 et. seq.

19. The issuance of this permit does not relieve the Permittee of his obligations to obtain any other approvals required by applicable federal, state and local law.
20. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this permit shall be signed by the Permittee and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense."
21. This permit is subject to and does not derogate any present or future property rights or powers of the State of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.

Issued on \_\_\_\_\_, 2010

STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

\_\_\_\_\_  
**Betsey Wingfield**  
**Bureau Chief**  
**Bureau of Water Protection and Land Reuse**

**Permit Application No. 200903146-DL**  
East Grand Street Homeowners Association

Certified Mail # \_\_\_\_\_


APPLICATION#  
200903146-DL

DRAWINGS FOR PERMITTING PROCESS ONLY NOT  
INTENDED TO BE FINAL DESIGN PLANS THE  
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SIZING OF INDIVIDUAL COMPONENTS AND FITTINGS  
(SUCH AS DECKING MEMBERS, BOLTS, ETC.) TO  
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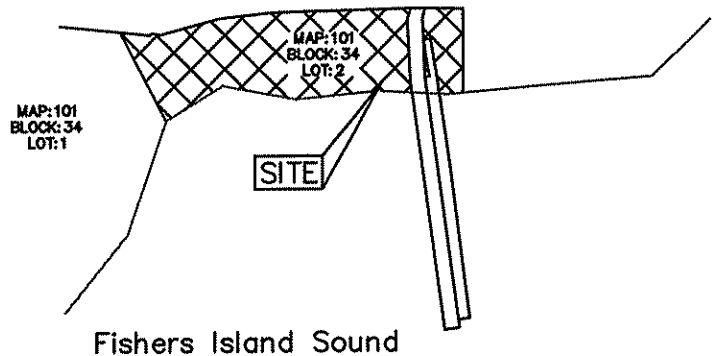
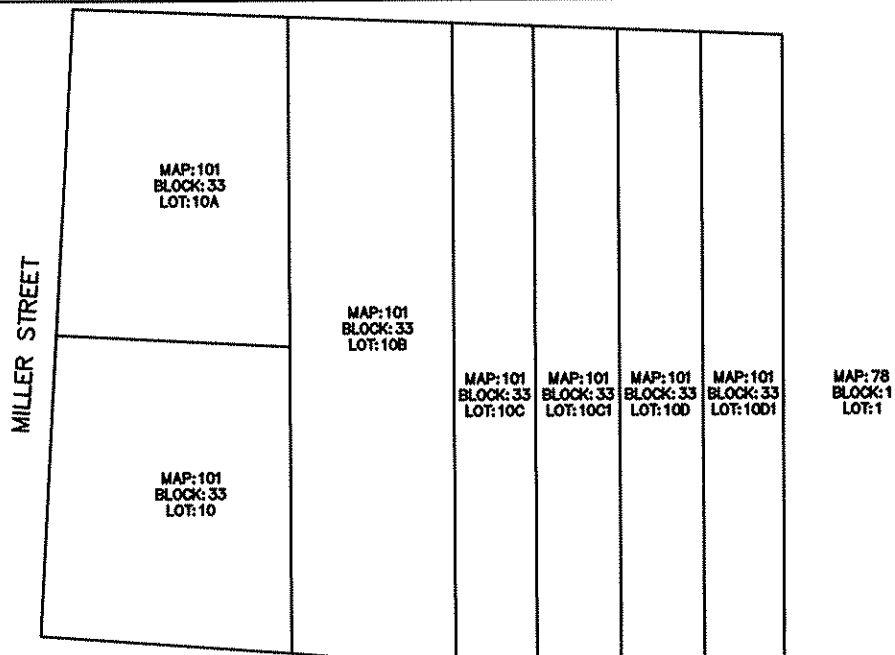
STONINGTON HARBOR

STONINGTON

Fishers Island Sound

AUGUST 24, 2009		ATTACHMENT "I"		SHEET 1 OF 5	
COASTAL PERMIT APPLICATION: APPLICATION FOR DOCK PERMIT APPLICANT: EAST GRAND ST HOMEOWNERS ASSOCIATION EAST GRAND STREET STONINGTON, CONNECTICUT		VICINITY MAP SCALE: 1"=500'±		 <b>GERWICK - MEREEN L.L.C.</b> P.O. BOX 539 17 INDUSTRIAL DRIVE WATERFORD, CONNECTICUT 06385 TEL. (860)442-2201 FAX. (860)442-2205	

MAP/BLOCK/LOT	PROPERTY OWNER	PROPERTY ADDRESS	MAILING ADDRESS
78/1/1	O'CALLAHAN LOUISE ETAL	40-44 SALT ACRES RD STONINGTON, CT.	40 EAST GRAND ST STONINGTON, CT.
101/33/10D1	ROBERT E & MARIA F THORNE	19 EAST GRAND ST #6E STONINGTON, CT.	7810 LAND O LAKES BLVD #346 LAND O LAKES FL. 34638
101/33/10D	JOSEPH T & REGINA BAIO	17 EAST GRAND ST #6W STONINGTON, CT.	140 PARK AVE. BRONXVILLE, NY. 10708
101/33/10C1	VINCENT R & ANN LOIACONO TRUSTEES	15 EAST GRAND ST #5E STONINGTON, CT.	SAME
101/33/10C	GORMAN E BECHARD	13 EAST GRAND ST #5W STONINGTON, CT.	SAME
101/33/10B	CORNELIUS DIEDERICK & AMY VAN DER VELDE	11 EAST GRAND ST #4 STONINGTON, CT.	3703 PENNINGTON LANE LOUISVILLE, KY 40207
101/33/10	BENJAMIN CARPENTER	9 EAST GRAND ST STONINGTON, CT.	22 ROUND HILL CLUB ROAD GREENWICH, CT. 06831
101/33/10A	JEAN M TILLINGHAST	2 MILLER ST STONINGTON, CT.	SAME
101/34/2 *SITE*	EAST GRAND STREET HOMEOWNERS ASSO INC	EAST GRAND ST STONINGTON, CT.	69 CASE STREET NORWICH, CT. 06360
101/34/1	BOROUGH SCHOOL CONDO ASSOCIATION	25 ORCHARD ST. STONINGTON, CT.	SAME



DRAWINGS FOR PERMITTING PROCESS ONLY NOT  
INTENDED TO BE FINAL DESIGN PLANS THE  
CONTRACTOR OR BUILDER SHALL DETERMINE  
SIZING OF INDIVIDUAL COMPONENTS AND FITTINGS  
(SUCH AS DECKING MEMBERS, BOLTS, ETC.) TO  
BE CONSISTENT WITH THE MARINE ENVIRONMENT  
AND THE DIMENSIONS AND NOTED MATERIALS  
OF THE FINAL PERMIT. AN ENGINEER OR  
STRUCTURAL ENGINEER MAY BE REQUIRED IF  
MANDATED BY THE LOCAL BUILDING DEPARTMENT.

AUGUST 24, 2009

ATTACHMENT "I&amp;K"

SHEET 2 OF 5

COASTAL PERMIT APPLICATION:  
APPLICATION FOR DOCK PERMIT  
APPLICANT: EAST GRAND ST  
HOMEOWNERS ASSOCIATION  
EAST GRAND STREET  
STONINGTON, CONNECTICUT

LIST OF ADJOINING  
PROPERTY OWNERS  
& ASSESSORS MAP

SCALE: 1"=50'



**GERWICK - MERREEN L.L.C.**  
P.O. BOX 539 17 INDUSTRIAL DRIVE  
WATERFORD, CONNECTICUT 06385  
TEL. (860)442-2201 FAX. (860)442-2205



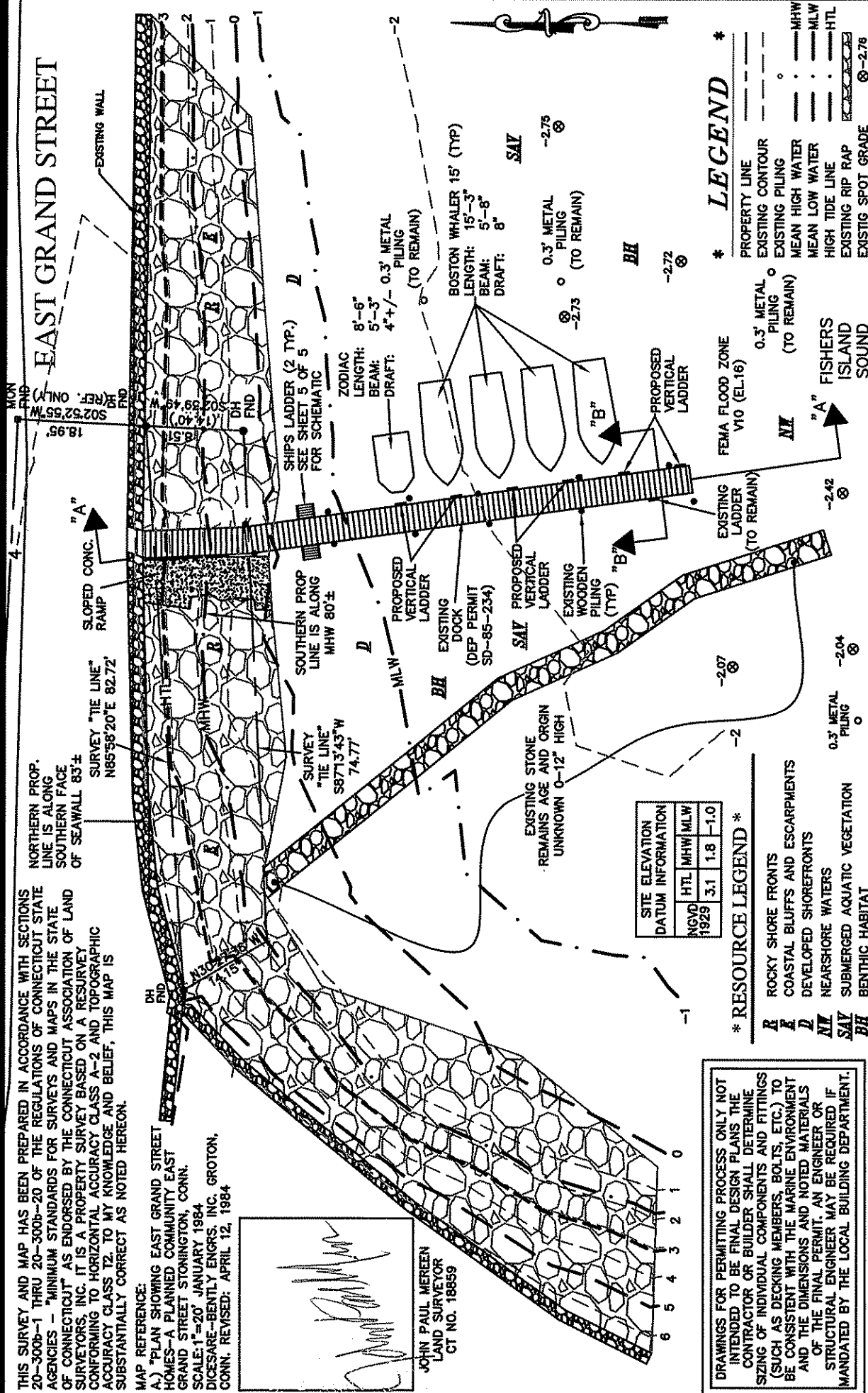


THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THRU 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - "MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ENDORSED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. IT IS A PROPERTY SURVEY BASED ON A RESURVEY CONFORMING TO HORIZONTAL ACCURACY CLASS A-2 AND TOPOGRAPHIC ACCURACY CLASS T2. TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

MAP REFERENCE:

A.) "PLAN SHOWING EAST GRAND STREET HOMES-A PLANNED COMMUNITY EAST GRAND STREET STONINGTON, CONN. SCALE: 1"=20' JANUARY 1984 DICESARE-BENTLY ENGRS. INC. GROTON, CONN. REVISED: APRIL 12, 1984

JOHN PAUL MEREEEN  
LAND SURVEYOR  
CT NO. 18859



SITE ELEVATION DATUM INFORMATION			
NGVD 1929	HTL	MHW	MLW
	3.1	1.8	-1.0

\* RESOURCE LEGEND \*

- R** ROCKY SHORE FRONTS
- D** COASTAL BLUFFS AND ESCARPMENTS
- I** DEVELOPED SHOREFRONTS
- N** NEARSHORE WATERS
- SAV** SUBMERGED AQUATIC VEGETATION
- BH** BENTHIC HABITAT

DRAWINGS FOR PERMITTING PROCESS ONLY NOT INTENDED TO BE FINAL DESIGN PLANS THE CONTRACTOR OR BUILDER SHALL DETERMINE SIZING OF INDIVIDUAL COMPONENTS AND FITTINGS (SUCH AS DECKING MEMBERS, BOLTS, ETC.) TO BE CONSISTENT WITH THE MARINE ENVIRONMENT AND THE DIMENSIONS AND NOTED MATERIALS OF THE FINAL PERMIT. AN ENGINEER OR STRUCTURAL ENGINEER MAY BE REQUIRED IF MANDATED BY THE LOCAL BUILDING DEPARTMENT.

- \* **LEGEND** \*
- PROPERTY LINE
  - EXISTING CONTOUR
  - EXISTING PILING
  - MEAN HIGH WATER
  - MEAN LOW WATER
  - HIGH TIDE LINE
  - EXISTING RIP RAP
  - EXISTING SPOT GRADE

AUGUST 24, 2009

ATTACHMENT "1"

SHEET 4 OF 5

COASTAL PERMIT APPLICATION:  
APPLICATION FOR DOCK PERMIT  
APPLICANT: EAST GRAND ST HOMEOWNERS ASSN.  
EAST GRAND STREET  
STONINGTON, CONNECTICUT

PLAN VIEW  
PROPOSED SITE PLAN  
SCALE: 1"=20'

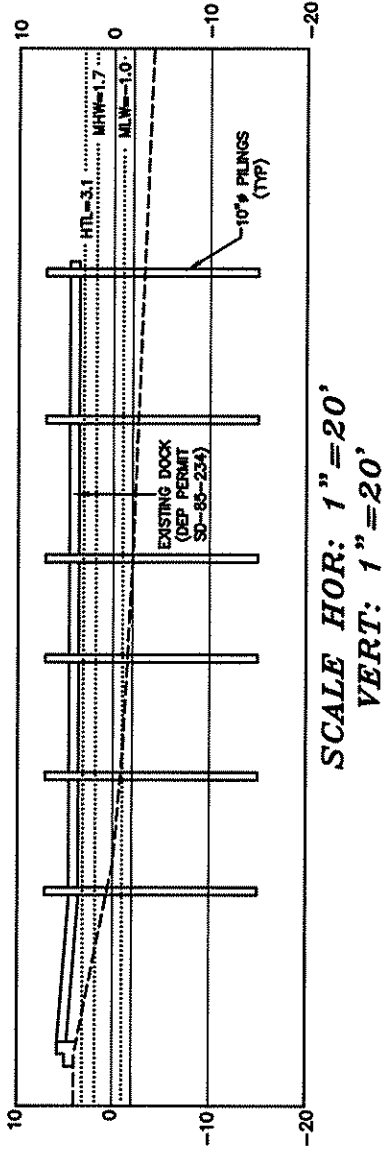
GERWICK - MEREEEN L.L.C.  
P.O. BOX 539 17 INDUSTRIAL DRIVE  
WATERFORD, CONNECTICUT 06385  
TEL. (860)442-2201 FAX. (860)442-2205



REVISED: 10-26-09

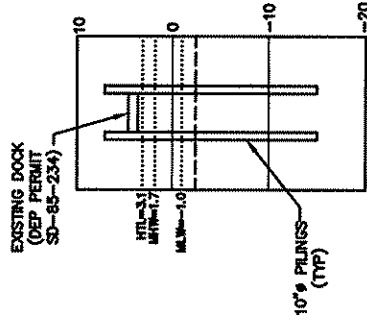
APPLICATION #  
200903146-DL

CROSS SECTION "A-A"

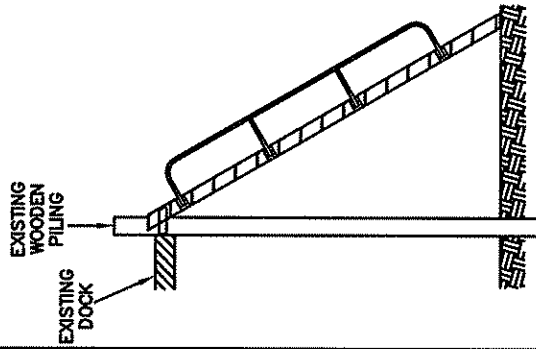


SCALE HOR: 1"=20'  
VERT: 1"=20'

CROSS SECTION "B-B"



ELEVATIONS BASED ON NGVD 29



SHIPS LADDER  
SCHEMATIC  
N.T.S.

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SITE ELEVATION DATUM INFORMATION			
NGVD 1929	HTL	MHW	MLW
3.1	3.1	1.8	-1.0

AUGUST 24, 2009

COASTAL PERMIT APPLICATION:  
APPLICATION FOR DOCK PERMIT  
APPLICANT: EAST GRAND ST HOMEOWNERS ASSN.  
EAST GRAND STREET  
STONINGTON, CONNECTICUT

APPLICATION#  
200903146-DL

ELEVATION VIEW  
SCALE: AS NOTED

REVISED: 10-26-09



**GERWICK - MEEHAN L.L.C.**  
P.O. BOX 539 17 INDUSTRIAL DRIVE  
WATERFORD, CONNECTICUT 06385  
TEL. (860)442-2201 FAX. (860)442-2205

ATTACHMENT "1"

SHEET 5 OF 5